

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 789

Short Title: USTs Eligible for Brownfields. (Public)

Sponsors: Representative Catlin (Primary Sponsor).

For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Environment.

April 11, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY THAT THE PRESENCE OF A SUBSTANCE RELEASED FROM
3 AN UNDERGROUND STORAGE TANK DOES NOT DISQUALIFY A PROPERTY
4 FROM PARTICIPATION IN THE NORTH CAROLINA BROWNFIELDS PROGRAM.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 130A-310.31 reads as rewritten:

7 **"§ 130A-310.31. Definitions.**

8 (a) Unless a different meaning is required by the context or unless a different meaning
9 is set out in subsection (b) of this section, the definitions in G.S. 130A-2 and G.S. 130A-310
10 apply throughout this Part.

11 (b) Unless a different meaning is required by the context:

12 ...

13 (3) "Brownfields property" or "brownfields site" means abandoned, idled, or
14 underused property at which expansion or redevelopment is hindered by
15 actual environmental contamination or the possibility of environmental
16 contamination and that is or may be subject to remediation under any State
17 remedial program ~~other than Part 2A of Article 21A of Chapter 143 of the~~
18 ~~General Statutes~~ or that is or may be subject to remediation under the
19 Comprehensive Environmental Response, Compensation and Liability Act
20 of 1980, as amended (42 U.S.C. § 9601, et seq.) except for a site listed on
21 the National Priorities List pursuant to 42 U.S.C. § 9605.

22 ...

23 (11) "Regulated substance" means a hazardous waste, as defined in G.S.
24 130A-290; a hazardous substance, as defined in G.S. 143-215.77A; oil, as
25 defined in G.S. 143-215.77; or other substance regulated under any remedial
26 program implemented by the ~~Department other than Part 2A of Article 21A~~
27 ~~of Chapter 143 of the General Statutes.~~ Department.

28"

29 **SECTION 2.** The Department of Environment and Natural Resources shall report
30 to the Environmental Review Commission no later than April 1, 2014, regarding the impact of
31 this act on the Brownfields Property Reuse program and the Leaking Petroleum Underground
32 Storage Tank Cleanup program.

33 **SECTION 3.** This act becomes effective July 1, 2013.

